

THOMAS J. McMANAMON,

Plaintiff,

- against -

THE CITY OF NEW YORK DEPARTMENT OF
CORRECTIONS; COMMANDING OFFICER
JACKSON, A.I.U.; CAPTAIN SUMMER,
A.I.U.; and ASSISTANT COMMISSIONER
ALAN VENGERSKY, Department of
Corrections,

Defendants.

JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

: 07 Civ. 10575 (BSJ) (JCF)

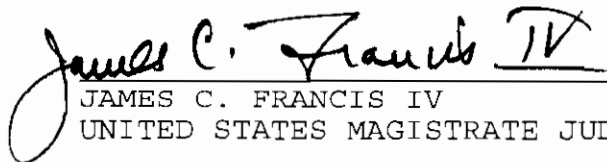
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Thomas J. McManamon, the pro se plaintiff in this case, has applied for appointment of counsel. The threshold consideration in ruling on such an application is a showing of some likelihood of merit. Cooper v. A. Sargenti Co., 877 F.2d 170, 172-74 (2d Cir. 1989). Mr. McManamon has not yet met this standard. No substantial discovery has yet been taken. If discovery reveals a factual basis for the plaintiff's claims, he can reapply for appointment of counsel.

Accordingly, the plaintiff's motion is denied with leave to renew if discovery reveals a basis for doing so.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
July 1, 2008

Thomas J. McManamon
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